

**REMARKS/ARGUMENTS**

Claims 38-52 have been examined and rejected. The present response does not change the claims but includes a terminal disclaimer. Reconsideration and allowance of all pending claims are respectfully requested.

Claims 38-52 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 and 31 of U.S. Patent No. 6,654,921. To overcome this rejection a suitable terminal disclaimer is submitted herewith. The rejection is accordingly overcome and its withdrawal is respectfully requested.

All of the pending claims are believed to be in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8694.

Respectfully submitted,



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